

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

JASON LEE ROBBINS,

Plaintiff,

v.

CASE NO. 11-3211-SAC

CORRECTIONAL CORPORATION OF AMERICA,

Defendant.

MEMORANDUM AND ORDER

This matter is a civil rights action filed by a person incarcerated in the Leavenworth, Kansas, facility operated by the Corrections Corporation of America.

By its order of February 21, 2012, the court granted plaintiff to and including March 21, 2012, to submit either the filing fee or a motion for leave to proceed in forma pauperis and to show cause why this matter should not be dismissed for lack of jurisdiction following the holding in *Minneeci v. Pollard*, ___ U.S. ___, 132 S. Ct. 617 (2012). Plaintiff was advised the failure to file a timely response might result in the dismissal of this matter without additional prior notice.

A court has the inherent power to dismiss an action for failure to prosecute to assure the orderly and expeditious resolution of cases. *Link v. Wabash Railroad Co.*, 370 U.S. 626, 630-631 (1962). The plaintiff has filed no response to the order of February 21, 2012, and the court concludes this matter may be dismissed for failure to state a claim for relief and for lack of prosecution.

IT IS, THEREFORE, BY THE COURT ORDERED this matter is dismissed for lack of prosecution.

IT IS FURTHER ORDERED plaintiff's motion for leave to proceed in forma pauperis (Doc. 2) and motion to appoint counsel (Doc. 3) are denied as moot.

A copy of this order shall be transmitted to the plaintiff.

IT IS SO ORDERED.

DATED: This 4th day of April, 2012, at Topeka, Kansas.

S/ Sam A. Crow
SAM A. CROW
U.S. Senior District Judge